

**Sec. 59-582. Duty to provide and maintain off-street parking spaces.**

(a) The owner(s) and operator(s) of any land area, structure, use by right, or authorized use exception which generates a parking requirement under this chapter shall have joint and several responsibility for providing all parking required by this chapter and maintaining said parking in accordance with the provisions of this chapter.

(b) For land, structures or uses by right actually used, occupied or operated on the effective date of this chapter, the number of existing off-street parking spaces shall not be reduced below the minimum number of spaces required under this article. If such land area, structures or uses by right are enlarged, expanded or changed, there shall be provided the following amounts of off-street parking:

- (1) If such land area, structures or uses by right are enlarged or expanded, there shall be provided for the increment only, at least the amount or number of off-street parking spaces that would be required hereunder if the increment were a separate land area, structure or use by right established or placed into operation after the effective date of this chapter; or
- (2) If such land area, structures or uses by right are changed from one (1) use by right to any other use by right allowed under this chapter which requires more off-street parking spaces than the previous use by right, there shall be provided:
  - a. No additional off-street parking spaces if the new use by right parking requirement does not exceed the previous use by right parking requirement by more than twenty-five (25) percent;
  - b. Additional off-street parking spaces shall be provided for any new use by right as required under this chapter in excess of one hundred twenty-five (125) percent of the overall requirement for the previous use by right.

(c) For all uses by right or authorized use exceptions established or placed into operation after the effective date of this chapter, there shall be provided the amount or number of off-street parking spaces set forth in this article. An off street parking space shall count as a space only if:

- (1) It meets all the requirements of chart 1, off-street parking, located at the end of this article;
- (2) It meets all other requirements of this article and;
- (3) Access to and egress from each such space may be obtained with no more than a standard two movement entrance or exit from said space by a vehicle parking there.

(d) *Parking for disabled persons.* For all uses by right or authorized use exceptions established or placed into operation or expanded after the effective date of the section, there shall be provided the amount or number of off-street parking spaces for disabled persons as follows: for all uses other than multiunit dwellings, the number of such parking spaces shall be two (2) percent of the number of spaces required by section 59-586, "required off-street parking"; provided, however, that at least one (1) such parking space for disabled persons shall be required where twelve (12) or more spaces are required by section 59-586. For multiunit dwellings, off-street parking spaces for disabled persons shall be provided for two (2) percent of the dwelling units or for each dwelling unit occupied by a disabled person, whichever is the greater requirement; provided, however, that at least one (1) such parking space shall be required where twelve (12) or more spaces are required by section 59-586. Dwelling units requiring parking for disabled persons within a multiunit dwelling shall be provided with such spaces at a ratio of one (1) space per dwelling unit and each such parking space for disabled persons shall be a minimum of twelve (12) feet wide and nineteen (19) feet long or an alternative size as suggested by the PUD/PBG rules and regulations. Accessible routes, passenger loading zones and other facilities for disabled persons shall be provided according to the guidelines contained in the PUD/PBG rules and regulations for site plan review.

(e) **Parking for bicycles.** Nonresidential uses having an off-street parking requirement of at least fifteen (15) and not more than forty (40) automobile spaces shall provide a minimum of two (2) off-street bicycle parking spaces. Nonresidential uses having an off-street parking requirement of forty (40) or more automobile spaces shall provide off-street bicycle parking spaces equal to five (5) percent of the total

number of automobile off-street parking spaces provided. Subject to review and approval by the transportation office of the entire proposed off-street parking area including but not limited to the design; location; and security features, the total number of required automobile off-street parking spaces may be reduced at the ratio of one (1) automobile off-street parking space for each six (6) bicycle spaces. However, the total number of required automobile off-street parking spaces shall not be reduced by more than five (5) percent. The director of planning shall adopt rules and regulations establishing the dimensional and equipment standards for bicycle parking areas.

(f) *Parking for historic structures.*

(1) There shall be no parking requirement for structures designated for preservation or for contributing structures in districts designated for preservation (together "historic structures"), both pursuant to Chapter 30 of the Denver Revised Municipal Code, beyond the number of parking spaces required for the land use and located on site as of August 1, 2007, or for structures designated after August 1, 2007, as of the date of designation.

(2) Parking spaces required to serve the historic structure that are located off of the property as of August 1, 2007, need not be retained unless the provision of off-site parking spaces is a condition resulting from the quasi-judicial decision of the city council (e.g., as a condition or waiver attached to a rezoning approval).

(3) Additions to historic structures shall be parked in accordance with this chapter. The parking spaces for an addition to a historic structure are in addition to the number of parking spaces required and located on site as of August 1, 2007. Off street parking requirements for the addition may be met off of the zone lot upon evidence of ownership or a current lease of parking spaces on another zone lot within a 1,500-foot radius of the zone lot containing the historic structure. Divesting ownership or terminating lease of the required parking space shall result in termination of the use permit until the deficiency is remedied.

(4) In the B-7 zone district, this section shall have no force and effect and subsection 59-239(b) shall govern the parking of historic structures.

(Ord. No. 449, § 5, eff. 8-31-07)

(Ord. No. 361-03, § 5, 5-23-03)